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# The Minutes of the Marshall University Board of Governors Meeting, April 18, 2013

Marshall University Board of Governors

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**MARSHALL UNIVERSITY**  
**BOARD OF GOVERNORS**

April 18, 2013

Marshall University Memorial Student Center  
Shawkey Dining Room  
Huntington, WV

Members present, in person: Joseph B. Touma, Chair; Phyllis H. Arnold, Vice Chair; Oshel Craig; David E. Haden; John G. Hess; Edward Howard; Dale C. Lowther; Wyatt Scaggs; Michael G. Sellards; Raymond Harrell, Jr., Student Representative; Miriah Young, Classified Staff Representative;

By Phone: Joseph McDonie, Martin Amerikaner, Faculty Representative

Absent: Letitia Neese Chafin; Michael J. Farrell; Verna Gibson; A. Michael Perry (emeritus)

**I. Call to Order**

Upon determining that a quorum was present, the meeting was called to order by Dr. Touma, Chairman. He welcomed all board members, staff and students to the meeting.

**II. Minutes**

The following minutes were approved:

Upon a motion by Mr. Sellards, seconded by Mr. Lowther, the minutes of February 25, 2013 were unanimously approved.

**III. Presentation by Smith Group re: Master Plan**

A quick and concise draft report was given relating to the progress for the 10 year Master Plan by the Smith Group. The final report will be given at the October meeting. The website set up for viewing and status reporting is [www.marshall.edu/mplan](http://www.marshall.edu/mplan).

**IV. Committee of the Whole**

**A. Approval of a Policy on the Use of Tobacco Products on Campus**

Ms. Young asked if there was a cessation program in place in the Medical School, Pharmacy School, etc. The answer was that because of the places they are located, i.e. Cabell Huntington Hospital, VA Hospital, would follow what is done at the facility. The Schools themselves will be tobacco free.

Upon a motion by Mr. Sellards, seconded by Mr. Craig, the following motion was unanimously approved. It was noted the anticipated effective date of the policy will be July 1, 2013. After the comment period, a final policy will be presented to the Board for approval at a subsequent meeting.

*Resolved, That the Marshall University Board of Governors approves Policy No. GA-8, Tobacco Policy, as a proposed policy and initiate the notice of proposed rulemaking process.*

**B. Approval of amendments to a policy on Rulemaking by the Board of Governors**

The Higher Education Policy Commission has modified its Rule on Rules. In order to address better the creation and amendment of policies, an amended policy on rulemaking is being presented to the Board for initial approval. The comment period for this proposed policy closed on March 28, 2013 without any comments received. The Policy is being presented for final approval without modification. There is no anticipated additional cost to the institution for implementing this policy.

Upon a motion by Mr. Haden, seconded by Mr. Howard, the following resolution was unanimously approved after a question asked by Ms. Young regarding the 30 day comment period.

*Resolved, that the Marshall University Board of Governors approve Policy No. GA-11, Rulemaking by the Board of Governors.*

**V. President's Report**

Dr. Kopp apologized for the happenings of the last few days. The budget sweeping was an action that he felt, looking back, was ill-considered, not ill-advised as previously reported. To explain, he was given a charge last July, which was reinforced in December at the Board Retreat, by the Board of Governors to present a balanced the budget, while incorporating a phased compensation increase(s) for faculty . State Funding was going to be less for the next two years, and to use tuition increases to backfill it, was not a realistic option. In concept, the proposal developed also was framed to avoid layoffs and furloughs of employees, while operating closer to the margin of anticipated lower revenues. The action taken was with the best financial interests of Marshall University in mind; however, the general reaction that ensued has resulted in a reversal of this action and a restoration of funds to all affected accounts.

**VI. The financial challenge confronted by Marshall University not only for Fy 2014 but State Budget projections beyond next year, remain the same. There is less funding from the State, less money from tuition and expenses are increasing. We have a talented group of faculty and staff, and Dr. Kopp asked that the constituent groups work together with him to help find constructive solutions to these issues. There was much discussion and comments from the floor.**

**VII. Committee Reports**

**Finance, Audit and Facilities Planning Committee, Dale Lowther, Chair**

Mr. Lowther discussed the informational items brought to the Committee. He noted that the

committee discussed the Financial update, Administrative update, School of Medicine's plan to announce along with HADCO and MURC to expand our biomedical research operations into the second floor of the Forensic Science Annex in the fall. The School of Medicine will be announcing the Dean's Advisory Council members in the near future. Athletics report was given highlighting the Vision Campaign and Sky Suite and elevator construction updates. An invitation was given for the Board to attend Big Green Weekend (April 26-27) festivities and a legislative audit update was given for review of fiscal 2010-11. An Internal Audit report was given by Mr. Perry Chaffin.

He then continued with the action items brought before the Committee, noting that Action items were discussed at length during the Committee Meeting. The first item was the FY 2014-2019 Capital Budget Request.

The annual fiscal year 2014-2019 Capital Project Budget Request forwarded to Marshall University by The Higher Education Policy Commission requires each spending unit to submit a listing of capital projects. The capital expenditure projects list for 2014-2019 appropriation requests are forwarded to the West Virginia Budget Office.

Upon a motion by Mr. Craigo, seconded by Mrs. Arnold, the board unanimously approved the following resolution:

*Resolved, that the Marshall University Board of Governors approve the attached FY 2014-2019 Capital Project List.*

The next item was the Marshall University 2013 Facilities/Land Use Master Plan

The presentation had been given earlier in the meeting. Upon a motion by Mr. Scaggs, seconded by Mr. Sellards, the plan as presented was unanimously approved.

The next item was for the Budget Plans. A resolution was read to approve the proposed budget Parameters for Fiscal Year 2013-14 and authorization to prepare a provisional tuition and fee schedule and budget for fiscal year 2013-14. Mr. Hess moved adoption of the resolution and it was seconded by Ms. Young. There was much discussion by faculty and staff regarding this resolution and item and Mr. Hess then asked to table the motion until the next meeting. This was seconded by Mr. Sellards. The motion passed. Dr. Touma reiterated that the Board wants everyone to work together and be open.

To continue, the next item for approval was the Construction Contract Award for the Indoor Practice Facility.

Mr. Hamrick discussed the result of the request for bids of construction for the Indoor Practice Facility saying that the University's Purchasing Department and the Facilities Planning and Management Department recommend award of the contract to the low base bid to J. H. Erectors.

Upon a motion by Mr. Haden, seconded by Mr. Hess, the following resolution was unanimously approved:

*Resolved, that the Marshall University Board of Governors approve the award of the construction contract for the Indoor Practice Facility.*

The next item was for an Appalachian Power Company Easement. Mr. Cottrill discussed this easement for new electrical services for East Hall and Veterans Memorial Soccer Complex for a new 3-way, three phase primary conductor and transformers and requests that MU Board of Governors grant and convey to Appalachian Power a right of way and easement for these electrical power lines.

*Resolved, that the Marshall University Board of Governors approve signature authority for the President or his designee on attached easement agreement.*

#### **Academic & Student Affairs Committee, Edward Howard, Chair**

Mr. Howard gave the Academic Affairs report.

The Provost's Update will be done at the next meeting, to present the Student Success and Higher Learning Commission report.

A handout was given regarding Program Review. All programs reviewed will continue at current level except:

BA in Management Information Systems; Re-work assessments and present at 2014 Program Review;

BBA in Management: "Continue with resource development with a focus on Technology and facilities;

Opportunities

1. Knowledge of how we compare and exceed to our peers;
2. Having standards above the average
3. E-Studies (on line courses)

It was noted the all programs expressed difficulty in attracting and retaining qualified faculty (salary).

Upon a motion by Mr. Haden, seconded by Ms. Arnold, the items were unanimously approved as presented.

The next item was an approval of a Policy regarding Weather-related and/or emergency closings and delays.

Upon a motion by Mr. Craig, seconded by Mr. Haden, the following resolution was unanimously approved:

*Resolved, that the Marshall University Board of Governors approves Policy No. GA-9,*

*Policy Regarding Weather-related and/or Emergency Closing and Delays, as a proposed policy and initiate the notice of proposed rulemaking process.*

The final policy will be presented at the meeting following the end of the comment period.

The next item was regarding the replacement policy on Distance Education Courses and the Board asked for it to be delayed until the next meeting.

The last item of the Committee was the Approval of the Master's Degree in Public Administration. It was noted that this degree is revenue neutral and will utilize existing resources.

Upon a resolution by Mr. Sellards, seconded by Mr. Haden, the following resolution was unanimously approved:

*Resolved, that the Marshall University Board of Governors approve the proposed Master's Degree in Public Administration.*

#### **VIII. Chairman's Report**

Dr. Touma spoke thanking everyone for a good meeting.

#### **IX. Executive Session under the authority of WV Code §6-9A-4**

There was no executive session.

#### **VII. Announcements and Adjournment**

*The next Board Meeting is June 11, 2013 unless we have to call a special board meeting.*

As there were no other matters to bring before the Board, upon a motion by Mr. Haden, seconded by Mr. Howard and unanimously approved, the meeting was adjourned.

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Michael G. Sellards, Secretary